

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Hector N Cervantes-Rivera**

Case Number: **2:17CR00191**

Name of Sentencing Judicial Officer: **Honorable Warren K. Urbom**

Date of Original Sentence: **August 3, 2010**

Original Offense: **Conspiracy/Methamphetamine**

Original Sentence: **210 months prison, followed by 60 months TSR.**

Date of Prior Revocation: **July 31, 2018**

Revocation Sentence: **Two months**

Date Supervision Commenced: **September 9, 2018**

Date Jurisdiction Transferred to District of Nevada: **June 26, 2017**

Name of Assigned Judicial Officer: **Honorable James C. Mahan**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Home Confinement with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 90 days, and you must follow the rules and regulations of the location monitoring program.

☒ Location monitoring technology at the discretion of the probation officer.

RE: Hector N Cervantes-Rivera

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☒ **You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer (Home Detention).**

- A) On September 13, 2018, Cervantes-Rivera violated the terms of his location monitoring agreement by returning to his residence at 3:44 PM, 14 minutes later than his scheduled time of 3:30 PM.
- B) On October 2, 2018, Cervantes-Rivera violated the terms of his location monitoring agreement by returning to his residence at 3:37 PM, seven minutes later than his scheduled time of 3:30 PM.
- C) On October 9, 2018, Cervantes-Rivera violated the terms of his location monitoring agreement by being out of range of his beacon from 5:49 PM to 5:55 PM. He was not permitted to be outside of his residence at this time.
- D) On October 12, 2018, Cervantes-Rivera violated the terms of his location monitoring agreement by being out of range of his beacon from 5:25 PM to 5:48 PM. He was not permitted to be outside of his residence at this time.


U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked


I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **October 22, 2018**

 Tawni Lea Salem
2018.10.24 13:40:32
-07'00'

Tawni Salem
United States Probation Officer

Approved:

 Benjamin Johnson
2018.10.22 17:29:00
-07'00'

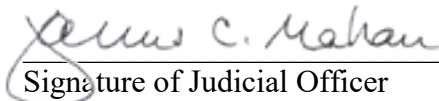
Benjamin B. Johnson
Supervisory United States Probation Officer

RE: Hector N Cervantes-Rivera

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THE COURT ORDERS

- ☐ No Action.
- ☐ The issuance of a warrant.
- ☒ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

November 6, 2018

Date

RE: Hector N Cervantes-Rivera

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. HECTOR N CERVANTES-RIVERA, 2:17CR00191**


**SUMMARY IN SUPPORT OF PETITION FOR SUMMONS
October 22, 2018**

On July 31, 2018, Your Honor sentenced Cervantes-Rivera to two months imprisonment, followed by 48 months of supervised release for violating the terms of his supervised release, specifically: Residential Reentry Center, report change of address, and refrain from unlawful use of a controlled substance. On September 9, 2018, Cervantes-Rivera commenced his fourth term of supervision.

As outlined above, Cervantes-Rivera has violated the terms of his location monitoring agreement on four occasions from September 13 – October 12, 2018, by returning to his residence 14 minutes late on September 13, seven minutes late on October 2, 2018, and leaving his residence without authorization on October 9 and October 12, 2018. The undersigned officer admonished Cervantes-Rivera on all occasions and advised him that the Court would be notified of these violations. Per C.A.R.E. Program policy, two violations of his location monitoring agreement are grounds for removal from the C.A.R.E. program.


As such, the undersigned officer respectfully requests that a summons be issued for Cervantes-Rivera to appear before the Court and explain why his term of supervised release should not be revoked.

Respectfully submitted,

 Tawni Lea Salem
2018.10.24 13:43:35
-07'00'

Tawni Salem
United States Probation Officer

Approved:

 Benjamin Johnson
2018.10.22 17:29:55
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer